

SENATE BILL 2587
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 26, relative to health insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 26, is amended by adding the following section:

Section 56-26- ____ . The insured shall not be bound by any policy where the policy does not provide for a listing of the company's usual and customary charges upon the insured's request. The contract for insurance shall make a specific provision for furnishing this list to the insured upon the request of the insured, and shall be attached to or endorsed on the policy when issued as part of the policy. If any such policy is delivered or issued for delivery to any person in this state or is reinstated or renewed, and the insured or the beneficiary or assignee of such policy makes written request to the insurer for a copy of certain usual and customary charges, the insurer shall within fifteen (15) days after the receipt of such request at its home office or any branch office of the insurer, deliver or mail to the person making such request a copy of the list. If a copy is not delivered or mailed, the insurer shall be precluded from introducing such a list as evidence in any action or proceeding based upon or involving such policy or its reinstatement or renewal. Further, if such copy is not so delivered or mailed, the insurer shall be precluded from refusing to pay in full all covered claims submitted by the insured, except in cases of fraud.

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 1997, the public welfare requiring it.

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